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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,448	07/25/2003	Chien-Min Sung	22101	3419
20551	7590	03/17/2006	EXAMINER	
THORPE NORTH & WESTERN, LLP. 8180 SOUTH 700 EAST, SUITE 200 SANDY, UT 84070			ELEY, TIMOTHY V	
			ART UNIT	PAPER NUMBER
			3724	
DATE MAILED: 03/17/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/627,448

Applicant(s)

SUNG, CHIEN-MIN

Examiner

Timothy V. Eley

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 14 and 16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15 and 17-22 is/are rejected.
- 7) ☒ Claim(s) 5-9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

***Claim Objections***

1. Claims 5-9 are objected to because of the following informality:
  - In claim 5, line 2, applicant refers to "an edge", and in claim 5, line 3, applicant refers to "a cutting edge". Applicant should use consistent terminology in referring to the edge, since it is not readily apparent as to whether the reference is to just an edge, or to a cutting edge.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Christensen(3,049,843), as applied in the rejection filed August 24, 2006.
4. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Scott et al(4,920,947), as applied in the rejection filed August 24, 2006.
5. Claims 1,2,4-7,9,10,17, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Pratt(3,028,710), as applied in the rejection filed August 24, 2006.
  - In addition, as now amended, claim 5 is anticipated by Pratt since the blade member has an edge and two sides, as clearly shown in figures 1 and 2. As broadly recited by applicant, the plurality of tool segments are each inherently brazed along a

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cutting edge and at least a portion of each side of the blade member in order to appropriately attach each segment, since the braze inherently must be located on the edge and along at least some portion of each side of the blade member in the embodiment of figure 5. It should be noted that applicant does not specifically recite that the tool segments are **themselves** located on at least a portion of each side of the blade member, but that the tool segments are "brazed along . . . at least a portion of each side of the blade member". Thus, **only the braze** needs to be located along each side of the blade member.

***Claim Rejections - 35 USC § 103***

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 8,12,13,18,19, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pratt, as applied in the rejection filed August 24, 2006.

8. Claims 11,15, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pratt in view of either Oliver(4,916,869) or Skeem et al(6,817,936), as applied in the rejection filed August 24, 2006.

***Response to Arguments***

9. Applicant's arguments filed December 29, 2005 have been fully considered but are non-persuasive.

- Applicant argues that what is being claimed is a reciprocating frame saw blade, and that the terminology "reciprocating frame

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saw" limits the structure of the blade and therefore must be treated as a claim limitation.

- o It should be noted that in claim 1 applicant merely recites a "reciprocating frame saw blade" without any structure whatsoever of a "reciprocating frame saw" being recited. Thus such a broad limitation has indeed been treated as a claim limitation, not actually providing much of a limitation; since the claim only requires a saw blade that may be reciprocated by a frame and the other additional elements recited.
- Applicant argues that Christensen clearly has a convex cutting edge and has a circular cutting blade, not a reciprocating frame saw blade as required by claim 1.
  - o However, "the cutting edge" of the Christensen blade is continuous completely around the periphery of the blade and includes concave slots 12, and therefore the edge is both **concave** and convex. Applicant does not recite that the blade is only concave. Also, the circular cutting blade may be reciprocated by a "reciprocating frame" saw, as broadly recited by applicant.
- Applicant argues that Scott does not teach or suggest a reciprocating blade member, nor does it teach or suggest a blade member having a concave cutting edge; and that Scott teaches a chainsaw blade that cuts in a single direction and does not teach that the chainsaw can cut in either direction by simply changing

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the direction of the cutting chain; and that bottom edges of the side links that support the cutting blocks ride along the bearing strip which is substantially straight therefore Scott does not teach a blade member that is concave.

- o However, Scott does teach and suggest the limitations of claim 1, since claim 1 **does not** recite a reciprocating frame saw, but **only** a reciprocating frame saw blade. The Scott blade when removed from the support is inherently capable of assuming a concave configuration as a result of flexibility, and may be used on a "reciprocating frame saw". Also, the bottom edges of the side links that support the cutting blocks may ride along a concave bearing strip thereby producing a concavity of the blade.
- Applicant arguments with regards to the Pratt reference are essentially the same as those presented in arguing the Christensen reference.
  - o However, "the cutting edge" of the Pratt blade is continuous completely around the periphery of the blade and includes concave slots 17, and therefore the edge is both **concave** and convex. Applicant does not recite that the blade is only concave. Also, the circular cutting blade may be reciprocated by a "reciprocating frame" saw, as broadly recited by applicant.
- Applicant argues that claim 5 requires that a blade member have a superabrasive tool segment brazed along a cutting edge and at

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least a portion of each side; and that in Pratt, the cutting segments 15 couple to the edge of the blade member 11 but do not extend onto the sides.

- o However, as mentioned in the rejection above, as broadly recited by applicant, in the Pratt device the plurality of tool segments are each inherently brazed along a cutting edge and at least a portion of each side of the blade member in order to appropriately attach each segment, since the braze inherently must be located on the edge and along at least some portion of each side of the blade member in the embodiment of figure 5. It should be noted that applicant does not specifically recite that the tool segments are **themselves** located on at least a portion of each side of the blade member, but that the tool segments are "brazed along . . . at least a portion of each side of the blade member". Thus, **only the braze** that attaches the tool segments needs to be located along each side of the blade member, and not actually the tool segments.
- Applicant argues that claim 10 was not discussed, as it was not addressed in the Office Action.
  - o This is clearly incorrect. Claim 10 is indicated as being anticipated by Pratt. The examiner felt that due to the **broad** nature of claim 10 that it did not need to be mentioned specifically. However, claim 9, which was

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specifically mentioned, recites the same limitations as claim 10.

**Conclusion**

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

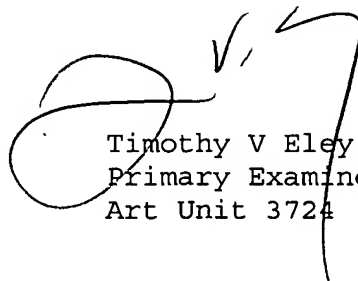
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy V. Eley whose telephone number is 571-272-4506. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 571-272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Timothy V Eley  
Primary Examiner  
Art Unit 3724

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